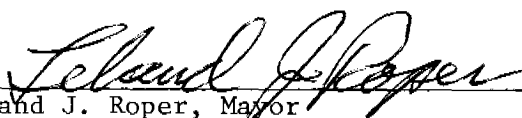
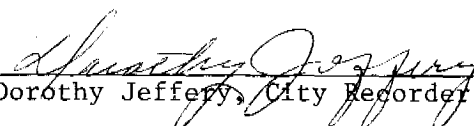


There was a general discussion of the off-site improvements. The school is limited to the amount of off-site improvements they can do and requested some consideration from the city for off-site improvements.

Attorney Peterson stated he was aware of the Delta City Budget, and the limits regarding off-site work done by the school, this is a matter that will have to be determined at a later date.

Mayor Roper asked if there was any further questions or comments, there being none, Councilman Morrison MOVED the meeting be adjourned, MOTION SECONDED by Councilman Bird, Motion Carried. Meeting adjourned at 7:55 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR COUNCIL MEETING HELD OCTOBER 05, 1981.

PRESENT:

Leland J. Roper	Mayor and presiding
Don Bird	Councilman
Thomas Callister	Councilman
Cecil Losee	Councilman
Willis Morrison	Councilman

ABSENT:

Max Bennett	Councilman
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OTHERS PRESENT:

Warren Peterson	City Attorney
John Quick	City Engineer
Ray Valdez	City Building Inspector
Dorothy Jeffery	City Recorder

Kay Traveler	Developer
Larry Morris	City Resident

Mayor Roper, being present, called the meeting to order at 8:00 p.m.
Dorothy Jeffery, being present, acted as secretary.

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Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle; Millard County Gazette, and the local radio station KNAK and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Minutes of a Public Hearing, held September 28, 1981, were presented for council's consideration of approval. Following a discussion of the minutes, Councilman Bird MOVED the approval of a minutes be tabled until such time as Mr. Shepherd has been contacted to clarify his statement regarding his property and the water/sewer lines to the property proposed for annexation of Bunker Hill Estates. MOTION SECONDED by Councilman Callister, Motion carried.

minutes of a Regular City Council Meeting held September 28th, 1981, were presented for consideration of Council's approval. There was a general discussion of the minutes, after which they were approved as corrected upon a MOTION by Councilman Callister, MOTION SECONDED by Councilman Losee and received the unanimous affirmative vote of all councilmen present.

KAY TRAVELER - RESOLUTION OF INTENT

The proposed plat of Kay H. Traveler and Alan Webb for a P.U.D. was presented for council's review. There was a general discussion regarding the plat.

Attorney Peterson presented a copy to each councilman of Resolution No. 81-46 - A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF DELTA, UTAH SUBMITTED ON BEHALF OF WILLIAM GARRETT, MYERS ENTERPRISES, KAY H. TRAVELER AND ALLEN WEBB ON THE 5th DAY OF OCTOBER, 1981.

Attorney Peterson explained that if the Council is in favor of a project you can adopt the Resolution of "Intent which gives preliminary approval then the final annexation ordinance will be prepared and presented to council for their consideration of approval.

Attorney Peterson told council one thing they should be concerned about is the water/sewer connections into the project.

John Quick, City Engineer, suggested the sewer be routed out through the proposed sewer line on 350 East. Mr. Quick also discussed the out fall line and the water lines for the project.

Councilman Bird questioned the fire protection for the project. It was determined there would be ample fire protection there.

There was some discussion of the storm drainage for the project.

Following the above discussion regarding the project and council's review of the Proposed Annexation Plat, Councilman Callister MOVED Resolution #81-46, A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF TERRITORY INTO THE CORPORATE LIMITS OF THE CITY OF DELTA, UTAH, SUBMITTED ON BEHALF OF WILLIAM BROWN, WILLIAM GARRETT, MYERS ENTERPRISES, KAY H. TRAVELLER AND ALLEN WEBB ON THE 5th DAY OF OCTOBER, 1981, be adopted. MOTION SECONDED by Councilman Losee.

The roll call vote was as follows:

Councilman Don Bird	Yea
Councilman Cecil Losee	Yea
Councilman Thomas Callister	Yea
Councilman Willis Morrison	Yea

MOTION CARRIED.

Resolution #81-46, was then signed by the Mayor of Delta City, Leland J. Roper, accepted by the City Recorder, Dorothy Jeffery, as part of the official records of the City of Delta, copies of the Resolution #81-46 are on file in the office of the City Recorder for public review.

Mayor Roper told council there were some problems with the next two (2) items on the agenda - #4, Rex Day - Annexation and #5, Rex Day - Request for council approval for Industrial Revenue Bond.

Following a discussion of the items, Councilman Morrison MOVED agenda items number four (4), and number five (5), as stated above be talbed, until, Wednesday, Oct. 7, 1981, - at 8:00 p.m. at which time a special city council meeting be scheduled for the purpose of council action regarding those items. MOTION SECONDED by Councilman Losee and received the unanimous affirmative approval of all councilmen present.

SELECTION OF ELECTION JUDGES FOR THE 1981, NOVEMBER 3rd ELECTIONS.

Mayor Roper informed council of the need to select the judges for the November 3rd elections.

Following a general discussion of the issue, the following persons were approved upon a MOTION by Councilman Bird, MOTION SECONDED by Councilman Callister, Motion carried.

May Shields)	
Norma Pearson	:	Judges
Elaine Robison)	

Lola Black - alternate judge.

Evelyn Robison)	
Loretta Whicker	:	Counters.
Leila Lovell)	

Council then intructed City Recorder, Dorothy Jeffery, to contact the above persons regarding the elections.

DELTA CITY AIRPORT MASTER PLAN.

Mayor read previous City Council Meeting minutes of March 30, 1981, regarding the Delta City Airport Master Plan.

Councilman Losee asked Mr. Johnson, Engineer for Valley Engineer, if he had done any negotiating with the State at all regarding funding anytime after March.

Mr. Johnson stated that he had some telephone conversations with them but as far as making written applications to them, no they had not.

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Councilman Losee then asked Mr. Johnson, if he had contacted any governmental agency as far as funding was concerned. Mr. Johnson replied, as far as the application was concerned, we were asked to work with Roger Stowell in submitting the application in order to keep the cost down, Roger and I got together and decided he would put together the preapplication to FAA. The last work that I have had, was September 2, he had not yet prepared the preapplication and at that time Mr. Stowell suggested we put the document together. Mr. Stowell did prepare and submit an application to the M.X. Policy Board for funding.

No action was ever taken by the M.X. Policy Board on the application.

Mr. Johnson stated he had checked with Mr. Stowell periodically regarding the matter. Councilman Losee stated he had spoken to Mr. Phil Ashbaker, Department of Aeronautics, was told as far as he knew, no request or contract had ever been made by anyone from Valley Engineer regarding funding for the Delta City Airport.

Councilman Morrison asked Mr. Johnson what obligations he felt, Delta City had regarding the work Valley Engineering had completed on the Delta City Airport Master Plan.

Mr. Johnson said his firm would still like to do the project but if the project was taken away from his firm, they do feel Delta City should pay for all of the work completed on the Master Plan by Valley plus there is a possibility they will submit a bill for the amount of monies lost by not doing the project.

Councilman Morrison asked Mr. Johnson for an approximate figure of the cost, Mr. Johnson said it would be approximately \$900.00 to \$1,000.00. Councilman Morrison asked if their bill would be initimized, Mr. Johnson assured him it would be.

Mayor Roper voiced his concern that eight (8) months have passed, the time is running out and nothing has been done. Mayor further stated he felt the City should either sign the contract with Valley or pay them for their work they have completed and get someone else to do the project.

Mr. Johnson, told council when the contract was awarded, his firm was never told if no action was taken by a certain date, the contract would be taken away from his firm.

Mr. Johnson asked why there had been no action taken since the June Council Meeting regarding the signing of the contract, which was four (4) months after Valley had submitted an agreement for the project to Delta City, there was still no approval of the agreement by the council.

Attorney Peterson stated a basic contract was put together around the last of May, however, the council had some concerns regarding the agreement and the contract was not approved.

Mr. Johnson asked why his firm was never made aware of the fact that no council action was taken on the contract, he also stated that he did not want to work without a contract.

Councilman Morrison said he agreed there were some errors made on both sides, and suggested the bills due to Valley, be considered, he then made a MOTION to not pursue the contract with Valley for the same reasons as he had stated last week, that being the lack of progress. MOTION SECONDED by Councilman Losee.

Mr. Johnson stated his firm had made contact with Attorney Peterson two (2) or three (3) times asking what the status of the contract was and how it was proceeding nad he indicated there would be some action or progress made and apparently there never was.

Attorney Peterson state, "If the problems Mr. Johnson is eluding to, is that I've not prepared the contract. If that is what prevented the work from being accomplished and they feel strongly that is a factor that is revelant, in consideration of the motion that has been made and seconded, I would suggest the council consider that for what ever it's worth. If i'm expected to make an admission that Valley couldn't proceed without a contract I don't feel inclined to make an admission of that type but I will acknowledge that Ron contacted me on several occassions asking for the contract. I had objections, on principals perhaps, of having to prepare that agreement, if it's true that Valley was waiting for me to prepare the agreement."

Ron has raised this issue several times and I feel it should be addressed, if that is something the council considers revelant they can attribute what ever fault to me they want to. I did not want to let that subject to untouched if that is park of the action, a reprimand, then go ahead and make it, I'll answer any questions the council may have.

Councilman Morrison stated, in making the motion I considered that, I think there are other considerations that have been brought up both in this meeting and in previous ones. Whcih I felt were more important and that is why I made the motion such as it was.

Mayor Roper asked for any further discussion regarding the issue, there being none the Mayor stated there had been a motion and second, he then asked for a vote, motion carried.

TEX SEARLE - ANNEXATION AGREEMENT.

A copy of "Annexation Agreement Ordinance No. 81-22, was presented to each councilman for their review and consideration for adoption, there was a general discussion of the ordinance. Spot Zoning was also discussed, there was no council action on the matter.

OTHER BUSINESS:

1. Mayor Roper informed council, Morris Burton had been interviewed by Cheif Roy Wood, Councilman Max Bennett, and Mayor Roper, they recommended that Mr. Burton be hired as a Delta City Police Officer.

Councilman Bird MOVED Mr. Morris Burton be employed by Delta City, effective October 05, 1981, as a police officer, MOTION SECONDED by Councilman Losee, motion carried.


2. Mayor Roper entertained a motion that Attorney Peterson prepare a resolution for preliminary approval for Annexation of the Millard School District Property, Councilman Callister so moved, MOTION SECONDED by Councilman Bird, motion carried.
3. Mayor Roper told council of a meeting to be held Tuesday, October 06, at 7:30 p.m. with the Planning/Zoning and the council to discuss the construction cost and Road widths regarding the master street plan for Delta City.

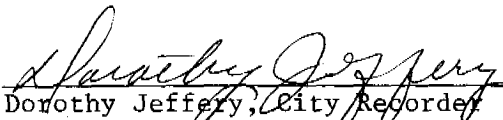
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4. A discussion on the matter of the Delta City Building Inspector working as a deputy Building Inspector for the County to inspect construction within the City Annexation area. Also discussed was the Building Permit fee schedule and the possibility of the fee's being the same for both the City and the County.
5. Mayor Roper stated that the mill levey had been returned from the State and it has been reduced to 13.01.
6. Sales Tax has been received in the amount of \$38,485.94.
7. Discussion regarding proposals for the proposed Delta City Building. There will be three (3) companies making proposals at the October 13, 1981 Council Meeting.
8. Council Meeting will be held Tuesday of next week, Monday is a holiday.
9. Larry Morris stated he wanted to enlarge his trailer park, and add R.V. Trailers, he was told he has to start with Planning and Zoning First.
10. Discussion regarding the replacement of the Valley Engineer on the Delta City Airport Master Plan.
11. Councilman Bird stated, "Sometime ago, there was a discussion concerning water connections on the Pendray's project. Mr. Bob Pendray is of the opinion the City has committed a total of seven (7) connections to him at the old price." Following a discussion of the issue it was the opinion of the council that because the connections were not paid for at the time they were committed, the connections fees will be charged at the present rate.

Mayor Roper asked if there were any further questions or comments, there being none, Councilman Morrison MOVED the meeting be adjourned. MOTION SECONDED by Councilman Bird, meeting adjourned at 11:00 p.m.


Leland J. Roper, Mayor
Delta City.


Dorothy Jeffery, City Recorder
Delta City.